

Campgrounds may need liquefied gas supplier license

Campground businesses in Wisconsin where propane gas cylinders are filled are effected by new licensing mandates.

New administrative rules in Comm 5, Licenses, Certifications, and Registrations Code, implement licensing mandates imposed by 2007 Wisconsin Act 203. The primary businesses affected by these licensing mandates are suppliers who fill propane gas cylinders. This would include bulk gas suppliers, cooperatives, hardware stores and camp grounds.

Comm 5.73 Liquefied gas suppliers. (1) GENERAL. (a) Pursuant to s. 101.16 (3g) (a), Stats., as of August 1, 2009, no person may engage in the business of filling containers with liquefied petroleum gas that is intended to be used directly from the containers as fuel, unless the person holds a license issued by the department as a licensed liquefied gas supplier or liquefied gas supplier - restricted, except as provided under either of the following conditions:

1. The business is engaged in only filling containers that have a water capacity of less than 4 pounds.
2. The filling of the containers with liquefied petroleum gas is for the person's or the entity's own use.

(b) A person who holds a license as a licensed liquefied gas supplier - restricted shall be limited to filling only department of transportation cylinders with liquefied petroleum gas.

Note: Under s. 101.16 (1) (c), Stats., a "department of transportation cylinder" means a container that holds liquefied petroleum gas and that meets the specifications established by the federal department of transportation.

For a link to Comm 5.73 online: <http://www.legis.state.wi.us/rsb/code/comm/comm005.html>

Who should have the Liquefied Gas Supplier, Liquefied Gas Supplier-Restricted licenses?

Anyone who engages in the business of filling liquefied petroleum gas (LPG) containers with gas intended as fuel to be used directly from the container must obtain a license. When engaging in this activity one must obtain either the liquefied gas supplier or the liquefied gas supplier - restricted license. Most likely all existing bulk retail LPG distribution facilities, campsite facilities, hardware stores, outdoor appliance dealers, and LP gas grill supply centers that fill liquefied gas containers need to obtain the license. The license is not required for filling containers with liquefied petroleum gas for the person's or entity's own use such as a storage warehouse with a fleet of LPG fork lift-trucks filled on site or for a business that fills containers that have a water capacity of less than 4 pounds.

A person who holds a license as a licensed liquefied gas supplier - restricted shall be limited to filling only federal department of transportation (DOT) cylinders at their own site.

What are the prerequisites for obtaining the credentials? (a) A person applying for either a liquefied gas supplier or a liquefied gas supplier - restricted license shall provide proof of financial responsibility as required under s. 101.16 (3r) (c), Stats., which requires any one of the following to prove financial responsibility: 1. A surety bond that is issued by a surety company that is listed as an acceptable surety for federal bonds on the date that the surety bond is obtained in the most recently published U.S. department of the treasury's circular 570; 2. An irrevocable letter of credit that is issued by a financial institution that is authorized to do business in this state or that is federally chartered. The letter of credit shall be for an initial period of at least one year; 3. Commercial general liability insurance as an endorsement to an existing policy or as a separate policy from an insurer, or a risk retention group, that is licensed to transact the business of insurance in this state or that is eligible to provide insurance as a surplus lines insurer in one or more states; (b) The person applying for either a liquefied gas supplier or a liquefied gas supplier - restricted license shall be the owner of the contracting business, a partner in the contracting business applying on behalf of a partnership, or the chairman of the board or chief executive officer applying on behalf of the contracting corporation.

How does someone apply for the credential? A person may apply for a Liquefied Gas Supplier, Liquefied Gas Supplier-Restricted license by submitting an application form, a \$15 application fee and the \$60 license fee (non-restricted) or a \$40 license fee (-restricted) and proof of financial responsibility as stated above.

What is the term of the credential? The license expires two years from the date of issuance.

Obtain credential applications:

Liquefied gas supplier <http://commerce.wi.gov/SB/docs/SB-FormCredAppLgs.pdf>

Liquefied gas supplier – restricted ... <http://commerce.wi.gov/SB/docs/SB-FormCredAppLgsr.pdf>

Note: Applicants can also fax a request for a form to 608-261-8467, or email their request to madisoncred@commerce.state.wi.us.

Is there a continuing education requirement? No.

How will the credential be renewed? A renewal letter will be sent to the credential holders approximately 45 days before the renewal date.